

**RESOLUTION NO. CZAB10-85-05**

*WHEREAS*, **CAP INVESTMENTS L. L. C.** applied for the following:

RU-5A to OPD

**SUBJECT PROPERTY:** Lots 1 – 14, Block 16, SECOND ADDITION TO SOUTHERN ESTATES, Plat book 73, Page 15.

**LOCATION:** The Northwest corner of S.W. 119 Court & S.W. 42 Street, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 10 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered a Declaration of Restrictions which among other things provided:

1.) **Site Plan**

The Property shall be developed substantially in accordance with that plan submitted with the declaration entitled "Kendall Medical Park Proposed Bird Road Facility," as prepared by Naya Architects, dated, signed, and sealed July 28, 2005, and consisting of 12 sheets.

*WHEREAS*, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to OPD would be compatible with the neighborhood and area concerned and would not be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be approved, and that the proffered Declaration of Restrictions should be accepted, and

*WHEREAS*, a motion to accept the proffered Declaration of Restrictions and to approve the application was offered by Jose Garrido, seconded by Carlos A. Manrique, and upon a poll of the members present the vote was as follows:

Juan Carlos Acosta	nay	Jose Garrido	aye
Julio R. Caceres	nay	Carlos A. Manrique	aye
Manuel Casas	aye		

George A. Alvarez                      aye

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 10, that the requested district boundary change to OPD be and the same is hereby approved and said property is hereby zoned accordingly.

*BE IT FURTHER RESOLVED* that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

*BE IT FURTHER RESOLVED*, notice is hereby given to the applicant that the approval herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 8<sup>th</sup> day of November, 2005.

Hearing No. 05-10-CZ10-6  
Is

**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Luis Salvat, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 10, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB10-85-05 adopted by said Community Zoning Appeals Board at its meeting held on the 8<sup>th</sup> day of November 2005.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 18<sup>th</sup> day of November 2005.



\_\_\_\_\_  
Luis Salvat, Deputy Clerk (2678)  
Miami-Dade County Department of Planning and Zoning





**Department of Planning and Zoning**

Stephen P. Clark Center  
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[miamidade.gov](http://miamidade.gov)

November 18, 2005

CAP Investments, L.L.C.  
c/o Javier Vazquez, Esq.  
8061 N.W. 155 Street  
Miami Lakes, FL 33016

Re: Hearing No. 05-10-CZ10-6 (05-67)  
Location: Northwest corner of S.W. 119 Court & S.W. 42 Street,  
Miami-Dade County, Florida

Dear Mr. Vazquez:

Enclosed herewith is Resolution No. CZAB10-85-05 adopted by Miami-Dade County's Community Zoning Appeals Board 10, which accepted your client's Declaration of Restrictions and approved a district boundary change to OPD on the above noted location.

Please note that any aggrieved party may appeal the Board's decision to the Board of County Commissioners, within 14 days from the date of posting on the 11<sup>th</sup> floor of the Stephen P. Clark Building, 111 N.W. 1<sup>st</sup> Street, Miami, FL 33128. The date of posting is November 14, 2005.

In the event an appeal is filed, any action undertaken during the appeal period is at the applicant's risk.

Sincerely,

Lou Salvat  
Deputy Clerk

Enclosure

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ADA Coordination  
Agenda Coordination  
Animal Services  
Art in Public Places  
Audit and Management Services  
Aviation  
Building  
Building Code Compliance  
Business Development  
Capital Improvements Construction Coordination  
Citizens' Independent Transportation Trust  
Commission on Ethics and Public Trust  
Communications  
Community Action Agency  
Community & Economic Development  
Community Relations  
Consumer Services  
Corrections & Rehabilitation  
Cultural Affairs  
Elections  
Emergency Management  
Employee Relations  
Empowerment Trust  
Enterprise Technology Services  
Environmental Resources Management  
Fair Employment Practices  
Finance  
Fire Rescue  
General Services Administration  
Historic Preservation  
Homeless Trust  
Housing Agency  
Housing Finance Authority  
Human Services  
Independent Review Panel  
International Trade Consortium  
Juvenile Assessment Center  
Medical Examiner  
Metro-Miami Action Plan  
Metropolitan Planning Organization  
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Procurement Management  
Property Appraiser  
Public Library System  
Public Works  
Safe Neighborhood Parks  
Seaport  
Solid Waste Management  
Strategic Business Management  
Team Metro  
Transit  
Task Force on Urban Economic Revitalization  
Vizcaya Museum And Gardens  
Water & Sewer